

1 The Native American Graves Protection and Repatriation Act establishes the right of lineal  
2 descendants, Indian Tribes, and Native Hawaiian organizations to certain Native American human  
3 remains, funerary objects, sacred objects, or objects of cultural patrimony discovered on federal lands  
4 after November 16, 1990 (25 USC 3001 et seq.). When discovered during an activity on federal lands,  
5 the activity is to cease and appropriate tribal governments are to be notified. Work on the activity may  
6 resume, if resumption of the activity is otherwise lawful, 30 days after the receipt of certification that  
7 tribal governments have received the notice.

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9 Executive Order 13007, “Indian Sacred Sites,” (61 FR 26771) directs federal agencies, to the extent  
10 practicable, permitted by law, and not clearly inconsistent with essential agency functions, to  
11 (1) accommodate access to and ceremonial use of American Indian sacred sites by their religious  
12 practitioners, and (2) avoid adversely affecting the physical integrity of such sacred sites. Where  
13 appropriate, agencies are to maintain the confidentiality of sacred sites.

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15 The DOE Richland Operations Office (DOE-RL) interacts and consults regularly and directly with  
16 the three federally recognized tribes affected by Hanford Site operations, that is, the Nez Perce Tribe, the  
17 Confederated Tribes of the Umatilla Reservation, and the Yakama Nation. In addition, the Wanapum,  
18 who still live adjacent to the Hanford Site, are a non-federally recognized tribe that has strong cultural ties  
19 to the Site. The Hanford area was also used by groups whose descendants are now enrolled members of  
20 the Confederated Tribes of the Colville Reservation. The Wanapum and the Confederated Tribes of the  
21 Colville Reservation are also consulted on cultural resource issues in accordance with DOE policy and  
22 relevant legislation.

## 23 24 **6.14 Environmental Justice and Protection of Children**

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26 Section 2-2 of Executive Order 12898, “Federal Actions to Address Environmental Justice in  
27 Minority Populations and Low-Income Populations,” (59 FR 7629) states that:

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29 Each Federal agency shall conduct its programs, policies, and activities that substantially affect  
30 human health or the environment, in a manner that ensures that such programs, policies, and  
31 activities do not have the effect of excluding persons (including populations) from participation  
32 in, denying persons (including populations) the benefits of, or subjecting persons (including  
33 populations) to discrimination under, such programs, policies, and activities, because of their  
34 race, color, or national origin.

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36 The CEQ has issued guidance for federal agencies to use in implementing Executive Order 12898 in  
37 conjunction with NEPA (CEQ 1997). DOE has also issued an information brief for DOE staff covering  
38 Executive Order 12898 (DOE 1997).

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40 Section 1 of Executive Order 13045, “Protection of Children from Environmental Health Risks and  
41 Safety Risks,” (62 FR 19885) requires federal agencies to:

- make it a high priority to identify and assess environmental health risks and safety risks that may disproportionately affect children
- ensure that their policies, programs, activities, and standards address disproportionate risks to children that result from environmental health risks or safety risks.

## 6.15 Chemical Management

Chemical management would be conducted according to DOE Order 5480.4, *Environmental Protection, Safety, and Health Protection Standards* (DOE 1993a), which requires DOE and its contractors to comply with National Fire Protection Association Codes and Standards and the Occupational Safety and Health Standards in 29 CFR 1910. The Hanford strategy for chemical management is described in Section 2.2.3 of the *Hanford Site Environmental Report for Calendar Year 2001* (Poston et al. 2002).

## 6.16 Emergency Planning and Community Right-to-Know

Part 5 of Executive Order 13148, “Greening the Government Through Leadership in Environmental Management,” (65 FR 14595) requires that federal executive branch agencies comply with the requirements for toxic chemical release reporting in Section 313 of the Emergency Planning and Community Right-To-Know Act (42 USC 11001). DOE’s compliance with the Emergency Planning and Community Right-To-Know Act at the Hanford Site is discussed in Section 2.2.5 of the *Hanford Site Environmental Report for Calendar Year 2001* (Poston et al. 2002). Compliance activities would be supplemented with any additional notification, planning, or reporting requirements that may arise.

## 6.17 Pollution Prevention

Part 5 of Executive Order 13148, “Greening the Government Through Leadership in Environmental Management,” (65 FR 14595) requires that federal executive branch agencies comply with Section 6607 of the Pollution Prevention Act (42 USC 13101 et seq.). Section 6607 requires that owners of a facility required to file an annual toxic chemical release form under Section 313 of the Emergency Planning and Community Right-To-Know Act (42 USC 11001) for any toxic chemical shall include with each such annual filing a toxic-chemical source reduction and recycling report for the preceding calendar year. DOE’s compliance with the Pollution Prevention Act at the Hanford Site is discussed in Section 2.2.5 of the *Hanford Site Environmental Report for Calendar Year 2001* (Poston et al. 2002). If implementation of any alternative considered in this EIS were to trigger reporting under Section 313 of the Emergency Planning and Community Right-To-Know Act, DOE would comply with the reporting requirements and the requirement for a toxic-chemical source reduction and recycling report.

## 6.18 Endangered Species

Section 7 of the Endangered Species Act (16 USC 1536) requires that Federal agencies 1) use their authority in furtherance of the purposes of the act by carrying out programs for the conservation of listed